



Entered on Docket  
October 13, 2011

A handwritten signature in black ink, appearing to read "R. B."

Hon. Linda B. Riegle  
United States Bankruptcy Judge

**LEWIS AND ROCA LLP**

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*Attorneys for USACM Liquidating Trust*

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE  
COMPANY,

Debtor.

Case No. BK-S-06-10725-LBR  
Chapter 11

**Order Sustaining Third Omnibus  
Objection Of USACM Trust To Proofs Of  
Claim Based In Part Upon Investment In  
The Binford Medical Developers Loan**

Hearing Date: September 30, 2011  
Hearing Time: 9:30 a.m.

The Court having considered the "Third Omnibus Objection Of USACM Trust To Proofs Of Claim Based In Whole or In Part Upon Investment in The Binford Medical Developers Loan." ("Binford Medical Developers Loan") [DE 8856] (the "Objection"); the Court having heard the Objection on September 30, 2011; appropriate notice of the Objection having been given; no response to the Objection having been filed; the Court noting on the record that the disallowance of the Claims listed on **Exhibit A** does not

1 affect the direct lenders' right to repayment by the borrower or from the collateral securing  
2 the Binford Medical Developers Loan; and good cause appearing:

3 **IT IS ORDERED** that:

- 4       1. The Objection [DE 8856] is sustained; and  
5       2. The claims listed on **Exhibit A** attached are 85% disallowed nad 15%  
6 allowed to the extent those claims are based upon an investment in the Binford Medical  
7 Developers Loan.

8  
9 PREPARED AND RESPECTFULLY SUBMITTED BY:

10 **LEWIS AND ROCA LLP**

12 By /s/ John Hinderaker (AZ #018024)  
13       Robert M. Charles, Jr.  
14       John Hinderaker (*pro hac vice*)  
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*Attorneys for USACM Liquidating Trust*

1 LOCAL RULE 9021 CERTIFICATION  
23 In accordance with LR 9021, counsel submitting this document certifies that the order  
4 accurately reflects the court's ruling and that (check one):  
56 \_\_\_\_\_ This Court has waived the requirement set forth in LR 9021(b)(1).  
78 XXX No party appeared at the hearing or filed an objection to the motion.  
910 \_\_\_\_\_ I have delivered a copy of this proposed order to all counsel who  
11 appeared at the hearing, and any unrepresented parties who appeared  
12 at the hearing, and each has approved or disapproved the order, or  
13 failed to respond, as indicated below [list each party and whether the  
14 party has approved, disapproved, or failed to respond to the  
15 document]:  
1617 Counsel appearing: \_\_\_\_\_  
1819 \_\_\_\_\_ I certify that this is a case under Chapter 7 or 13, that I have served a  
20 copy of this order with the motion pursuant to LR 9014(g), and that  
21 no party has objected to the form or content of the order  
22

|  |   |  |
|--|---|--|
| 14 U.S. Trustee: _____   | 15 <input type="checkbox"/> approved the form of this order   | 16 <input type="checkbox"/> disapproved the form of this order |
| 16 <input checked="" type="checkbox"/> waived the right to review the<br>17 order and/or | 18 <input type="checkbox"/> failed to respond to the document | 19   |
| 20 Other Party: _____  | 21 <input type="checkbox"/> approved the form of this order   | 22 <input type="checkbox"/> disapproved the form of this order |
| 22 <input type="checkbox"/> waived the right to review the<br>23 order and/or            | 24 <input type="checkbox"/> failed to respond to the document | 25   |
| 26   |   |  |

26 Submitted by:  
LEWIS AND ROCA LLP27 By: /s/ John Hinderaker. (AZ #018024)  
28 Attorneys for USACM Liquidating Trust  
29

30 # # #

# USA CM Trust

## Binford Medical Developers Loan

## Multiple Loan Claims

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| Claim         | Name   | Address   | Total Claim Amount | Approximate Amount Subject to Objection Because it Relates to an Investment In the Binford Medical Developers, LLC Loan | Amount Allowed |
|---------------|--|---|--------------------|---|----------------|
| 10725-01619   | Addes, Kenneth                                     | 100 W Broadway Apt 7V<br>Long Beach, NY 11561   | \$394,523.01       | \$50,000.00   | \$7,500.00     |
| 10725-01438   | Evans, Richard Z                                   | 10409 Summershade LN<br>Reno, NV 89521-5168   | 153,283.00         | 75,000.00   | 11,250.00      |
| 10725-01742   | Ferguson Living Trust Dtd 6/28/00                  | C/O Patricia Ferguson Ttee<br>3985 Lake Placid Dr<br>Reno, NV 89511-6780                | 150,000.00         | 50,000.00   | 7,500.00       |
| 10725-02162   | Goodwin, Michael John                              | 555 Yellow Pine Rd<br>Reno, NV 89511-3714   | 1,011,076.40       | 50,000.00   | 7,500.00       |
| 10725-01541   | Graham Family Trust Dtd 10/26/78                   | Robin B & Celia Allen Graham Ttees<br>1460 Twinridge Rd<br>Santa Barbara, CA 93111-1223 | 503,808.00         | 25,000.00   | 3,750.00       |
| 10725-00868   | Gregory J & Shauna M Walch Family Trst Dtd 11/2/04 | C/O Gregory J Walch Trustee<br>344 Doe Run Cir<br>Henderson, NV 89012-2704              | 500,000.00         | 75,000.00   | 11,250.00      |
| 10725-02285   | Handal, John A M IRA                               | First Savings Bank Custodian For<br>3575 Siskiyou Ct<br>Hayward, CA 94542               | 507,345.84         | 50,000.00   | 7,500.00       |
| 10725-02059   | Jack R Clark & Linda C Reid Jt Ten                 | 9900 Wilbur May Pkwy #4701<br>Reno, NV 89521-3089                                       | 1,782,032.06       | 125,000.00  | 18,750.00      |
| 10725-01477   | Karen L Pidgeon 2006 Living Trust Dated 2/27/06    | C/O Karen L Pidgeon Ttee<br>PO Box 41619<br>Sacramento, CA 95841-1619                   | 538,643.00         | 100,000.00  | 15,000.00      |
| 10725-01205-2 | Lococo, Randall & Allison                          | 3001 San Luis Ct<br>Fort Collins, CO 80525  | 100,000.00         | 50,000.00   | 7,500.00       |
| 10725-01205   | Lococo, Randall & Allison                          | 3001 San Luis Ct<br>Fort Collins, CO 80525  | 100,000.00         | 50,000.00   | 7,500.00       |